

Attorney Docket No.: ODIN-001/00US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Patrick J. SWEENEY II

Examiner: Scott D. Au

Serial No.: 10/707,511

Art Unit: 2612

Filed: December 18, 2003

Confirmation No.: 1510

For: **REMOTE IDENTIFICATION OF CONTAINER CONTENTS BY MEANS
OF MULTIPLE RADIO FREQUENCY IDENTIFICATION SYSTEMS**

Mail Stop: ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

COMMENTS ON STATEMENTS OF REASONS FOR ALLOWANCE

Statements of reasons for allowance were set forth in the Final Office Action mailed on January 12, 2007 and in the Notice of Allowance mailed on May 9, 2007, in connection with the above-identified application.

The Examiner noted in the Notice of Allowance that claims 1-2, 17-19 and 21-22 were allowed based on the allowable subject matter of the dependent claims. It is respectfully submitted that this statement is referring to the allowable subject matter of dependent claims 17-22 that was identified in the Final Office Action. In response to the Final Office Action, independent claim 1 was amended to include the allowable subject matter of claim 20 and claims 17 and 19-22 were each converted into independent form and amended to include the limitations of independent claim 1.

While the Applicant agrees that the pending claims are allowable for at least the reasons set forth in the Examiner's statements, the Applicant submits that the invention as recited by the claims and as described in the application may be patentable over the art of record for reasons in addition to those listed in the Examiner's statements. For example, Applicant notes that the

Examiner's statements quotes various recitations of some of the independent and dependent claims. Applicant notes that the language of the claims as allowed controls the language in the Examiner's statement should not be construed as limiting the claims in any manner. Moreover, the claims contain recitations in addition to those stated by the Examiner that provide additional bases for patentability over the art of record. Accordingly, the Applicant reserves the right to pursue claims of different scope than those in the present application. For example, such claims may not necessarily need to include the elements identified in the Examiner's statements in the present application.


This statement commenting on the reasons for allowance is timely submitted.

Dated: May 25, 2007

Cooley Godward Kronish LLP
ATTN: Patent Group
1200 19th Street, N.W., 5th Floor
Washington, DC 20036
Tel: (703) 456-8000
Fax: (202) 842-7899

Respectfully submitted,
COOLEY GODWARD KRONISH LLP

By:


Daniel M. Bennett
Reg. No. 54,993